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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/323,415	06/01/1999	LARRY T. HARADA	06975/041001	9156
26171	7590	09/03/2004	EXAMINER	
FISH & RICHARDSON P.C. 1425 K STREET, N.W. 11TH FLOOR WASHINGTON, DC 20005-3500			NOBAHAR, ABDULHAKIM	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/323,415	<b>Applicant(s)</b> HARADA ET AL.	
	<b>Examiner</b> Abdulkhikim Nobahar	<b>Art Unit</b> 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 May 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35, 37-40 and 42-50 is/are rejected.
- 7) ☒ Claim(s) 36 and 41 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>          </u> ✓ | 6) <input type="checkbox"/> Other: _____  |

***Response to Arguments***

1. This communication is in response to applicant's response received on May 28, 2004.
2. The amendments to claims 33, 36, 38, 40 and 41 are acknowledged and that these amendments do not introduce any new matter to the claimed invention.
3. Applicant's arguments filed May 28, 2004 have been fully considered but they are not persuasive.
4. On page 14, lines 12-17 of Remarks, applicants argue that: "the entry website 32A does not append the encrypted demographic information to the request as originally intercepted by the entry website 32A to create an augmented request, nor does it send such an augmented request to a remote website 34A. Instead, the entry website 32A generates a redirect response that is sent back to the browser with demographic information. It is then incumbent upon the browser to send a new request to the remote website 34A."

Minor discloses a method that a server receives (corresponding to the recited intercepting) an end-user request for accessing a remote site (col. 2, lines 44-55; col. 3, lines 37-43). User's demographic information is retrieved and encrypted using the remote site encryption key. Then the encrypted demographic information is combined (corresponding to the recited appending) with the remote site destination address

(corresponding to the recited data request) and transmitted to the remote site. The remote site destination address is a location on the remote site that the end-user intends to access and corresponds to the originally intercepted data request. These steps of Minor's method for accessing information located on a remote site by an end-user correspond to the limitations of claim 1.

5. In light of the above submission the previous rejection of claims 1-35, 37-40 and 42-50 is maintained as follows.

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4-6, 11-15, 18, 22, 25, 28, 31, 33, 38 and 43-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Minor et al (5,740,252; hereinafter Minor).

Regarding claims 1, 6, 12 and 22, Minor discloses a method for accessing remote data repositories (corresponding to the recited target server) by a computer operator (end-user) (see, for example, abstract and col. 2, lines 44-50). The end-user request for accessing a remote site is intercepted by an entry web site server that corresponds to the recited proxy server (see, for example, col. 5, lines 25-34). The end-user demographic information is appended to the end-user request (see, for example, col. 1, lines 5-10; col. 2, lines 50-57; col. 3, lines 49-51). Minor also teaches a secure

communication and encrypts the demographic information (see, for example, column 4, lines 14-15). Minor further discloses that each remote web site (corresponding to the recited target server) has an associated encryption key (corresponding to the recited session key) that is stored in both entry web site and remote web site servers (see, for example, column 4, lines 34-41; column 6, lines 6-10).

Regarding claims 4, 5 and 28, Minor discloses that the end-user demographic information (profile information) are stored in and retrieved from a designated database at an entry web site server that corresponds to the recited proxy server based on the end-user and Minor further discloses that the end-user computer and the web servers are coupled to a network via a network interface (see, for example, col. 3, lines 45-59; col. 4, lines 3-6; Fig. 4).

Regarding claim 11, Minor discloses that the client utilizes a web browser to make HTTP requests from the remote web server which is a HTTP server (see, for example, column 1, lines 30-40; column 2, lines 5-55; column 7, lines 6-10).

Regarding claims 13-15, 18, 25 and 31, Minor discloses that the entry web site server (corresponding to the recited proxy server) receives a request from user for accessing a remote data site. The entry web site server transmits the request to the remote data repository that corresponds to the recited information server as stated above in the rejection of claim 1 (see, for example, column 4, lines 20-25). At the

remote data repository the encrypted user demographic information (profile information) is extracted to process user request and to prepare a response for the user (see, for example, column 4, lines 25-44 and Fig. 4).

Regarding claims 33 and 38, these claims are rejected as applied to the like elements of claim 1 above and further the following:

Minor discloses that at the entry web site server (corresponding to the recited proxy server), it is determined that to which remote data repository (corresponding to the recited target server), the user request should be sent (see, for example, column 4, lines 6-13).

Regarding claim 43-50, Minor discloses:

The method of claim 13 wherein the encrypted user profile information comprises one or more of demographic information, a history of data requests by a user, age of a user, gender of a user, or interests of a user (see, for example, column 1, lines 47-54; column 3, lines 49-54 and column 4, lines 42-50).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject

matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 16, 17, 23, 26, 29, 37 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Minor et al (5,740,252; hereinafter Minor) in view of Uhler et al (2001/0039587 A1; hereinafter Uhler).

Regarding claims 2, 3, 23, 29 and 37, Minor does not expressly disclose the use of a reference token to be sent to the remote server along with the subsequent client requests. Uhler, however, teaches a method for accessing web server by a client through a proxy server that uses a cookie (corresponding to the recited reference token) (see, for example, page 6, [0093]-[0094], Fig. 2 and Fig. 4). The cookie is received from the web server and it is transmitted back to the web site with the subsequent client requests. The cookie is used to determine if the client has the proper authentication. The cookie is sent to the client by the web server based on the initial authentication of the client which is associated with the demographic information of the client.

It would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to implement the use of cookie (token) as taught in Uhler in the system of Minor, because the steps of authenticating the client would not be repeated in the subsequent client attempts to access the web site (see Uhler, page 6, [0093]).

Regarding claim 16, this claim is rejected as applied to the like elements of claim 13 above and further the following:

Uhler teaches that the web server sends a cookie (corresponding to the recited reference token) along with the response to the client (see, for example, page 6, [0093]).

Regarding claim 17, this claim is rejected as applied to the like elements of claims 2 and 13 as stated above.

Regarding claims 26 and 42, these claims are rejected as applied to the like elements of claims 2 and 13 above and further the following:

Minor discloses that the remote data repository (web server) stores the extracted user demographic information (profile information) (see column 6, lines 6-16 and lines 46-58).

Claims 7-10, 19-21, 24, 27, 30, 32, 34, 35, 39 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Minor et al (5,740,252; hereinafter Minor) in view of Loeb et al (5,245,656; hereinafter Loeb).

Regarding claims 7-10, 19-21, 24, 27, 30, 32, 34, 35, 39 and 40, these claims are rejected as applied to the like elements of claims 1, 13 and 14 as stated above.

However, Minor does not expressly disclose the use of a session key to encrypt the user demographic information and to transmit the session key to a remote site server by using public cryptography. Loeb teaches the use of session keys in transmitting user profile to a remote site (see, for example, col. 1, line 66-col. 2, line 11 and col. 3, line 1-



10). The session keys are transmitted between the servers by use of public key cryptography.

It would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to implement the use public key cryptographic technique to transmit a session key from one server to another server as taught in Loeb in the system of Minor, because it would provide secure transmission of session key over a public network (see col. 3, lines 18-25).

### ***Allowable Subject Matter***

Claims 36 and 41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

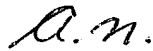
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 703-305-8074. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Abdulhakim Nobahar  
Examiner  
Art Unit 2132

AN

August 31, 2004

  
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